

Chapter 2

APPLICABLE LAW AND REGULATIONS

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Chapter 2

APPLICABLE LAW AND REGULATIONS

2.0. INTRODUCTION

The Virginia Department of Environmental Quality's (DEQ) Virginia Stormwater Management Program (VSMP) is authorized under Article 2.3 (§ 62.1-44.15:24 et seq.) of Chapter 3.1 of Title 62.1 of the Code of Virginia (Virginia Stormwater Act). Regulatory authority for the VSMP is the responsibility of the Soil and Water Conservation Board (Board).

The State Water Control Board may issue, deny, revoke, terminate, or amend stormwater permits; adopt regulations; approve and periodically review local stormwater management programs; enforce the provisions of this article; and otherwise act to ensure the general health, safety and welfare of the citizens of the Commonwealth as well as protect the quality and quantity of state waters from the potential harm of unmanaged stormwater.

The VSMP permit regulations (4 VAC 50-60-10 et seq.) provide a framework for the administration, implementation and enforcement of the Virginia Stormwater Management Act. The regulations also describe the procedures and requirements to be followed in connection with VSMP permits issued by the Board or its designee pursuant to the Clean Water Act (CWA) and the Virginia Stormwater Management Act.

The regulations provide flexibility for innovative solutions to stormwater management issues. The regulations also establishes the Board's procedures for the authorization of a qualifying local program, Board and department oversight authorities for an authorized qualifying local program, the Board's procedures for utilization by the DCR in administering a local program in localities where no qualifying local program is authorized, and the components of a stormwater management program including but not limited to stormwater management standards.

Unofficial copies of the Virginia Stormwater Act and the VSMP permit regulations are included in the Appendix 2-A and Appendix 2-B, respectively. These are accurate as of the publication date of this Handbook. However, official copies, which will always reflect the most up-to-date versions of the law and regulations, should be obtained from Virginia General Assembly's Legislative Information Service (LIS) Website, as follows:

REGULATIONS

The link to the regulations is the easier of the two. The VIRGINIA STORMWATER MANAGEMENT PROGRAM (VSMP) PERMIT REGULATIONS may be found on the LIS at:

<http://leg1.state.va.us/000/reg/TOC04050.HTM#C0060>

Click on:

- Virginia Administrative Code
- Table of Contents

- Title 4: Conservation and Natural Resources
- Agency 50: Virginia Soil and Water Conservation Board
- Chapter 60: Virginia Stormwater Management Program (VSMP) Permit Regulations

This will outline all of the pertinent sections. Under the “Chapter” header there is a “create report” button, if the user wishes to print the whole document as one report.

CODE OF VIRGINIA

This process is similar but not quite as straight-forward. The Stormwater Management Act can be found on the LIS at:

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+cod+62.1-44.15C24>

Click on:

- Code of Virginia
- Table of Contents
- Title 62.1: State Policy as to Waters
- Chapter 3.1: State Water Control Law
- Article 2.3: Stormwater Management Act

Of the list brought up, the Stormwater Management Act includes Sections 62.1-44.15:24 through 62.1-44.15:50. Again, using the “create report” feature and referencing these sections will allow the user to print only the Stormwater Management Act sections.